

IN THE UNITED STATES DISTRICT COURT  
1FOR THE DISTRICT OF NEBRASKA

SEAN JOHNSTON,	)	
	)	
Plaintiff,	)	4:06CV3040
	)	
v.	)	
	)	
NEBRASKA DEPARTMENT OF	)	ORDER
CORRECTIONAL SERVICES,	)	
HAROLD W. CLARKE, ROBERT P.	)	
HOUSTON, MICHAEL L. KENNEY,	)	
RICHARD D. CRUICKSHANK, MARIO	)	
PEART, RANDY CROSBY, CALVIN	)	
HAYWOOD, JOHN CASEBOLT, and	)	
RANDY T. KOHL,	)	
	)	
Defendants.	)	
	)	

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This matter is before the court on plaintiff's third motion to reconsider. Filing No. 76. On November 19, 2007, this court entered a Memorandum and Order finding in favor of the defendants, Filing No. 66, and entered a Judgment dismissing the case, Filing No. 67. Plaintiff then asked this court to reconsider its decision. Filing No. 68. The court denied the motion to reconsider. Filing No. 72. The plaintiff then asked the court to "reopen" the case, as he had a new doctor's report. Filing No. 73. The court reviewed this second request to reconsider and reviewed the medical letter supplied from the Nebraska Spine Center. Filing No. 73, Attach. 1. The court found this proposed evidence added nothing to its finding that there is no evidence of deliberate indifference in this case. Filing No. 75. The court has again, for the third time, reviewed the current motion for reconsideration and for the reasons set forth in its previous orders denies the motion for reconsideration.

THEREFORE, IT IS ORDERED that plaintiff's motion for reconsideration, Filing No. 76, is denied.

DATED this 14<sup>th</sup> day of July, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief District Judge